

**COMBINED DECLARATION AND POWER OF ATTORNEY**

(Attorney Docket No: 112439.120)

As below-named inventors, we hereby declare that:

Our residences, post office addresses and citizenship are as stated below next to our names.

We believe that we are the original, and only inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

***System for Managing Resource Infrastructure and Resource Consumption in Real Time***

the specification of which (check only one):

☒ [ X ] is attached hereto.

☐ [ ] was filed as United States Patent Application  
Serial No. \_\_\_\_\_ on \_\_\_\_\_

☐ [ ] was filed as PCT Patent Application Serial No. \_\_\_\_\_ on \_\_\_\_\_  
and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable)

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of the claims of this application in accordance with Title 37, CFR §1.56(a) and §1.56(b).

We hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(e) or 365(b) of any foreign application(s) for patent or inventor's certificate or 365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by us on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS  
UNDER 35 U.S.C. §119(a)-(d) or 365(b), or 365(a):**

COUNTRY (if PCT indicate PCT)	APPLICATION NUMBER	DATE OF FILING	PRIORITY CLAIMED UNDER 35 U.S.C. §119 (YES/NO)

I hereby claim benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

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APPLICATION NUMBER	DATE OF FILING	STATUS: PENDING OR ABANDONED

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or 365(c) of any PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

**PRIOR U.S. APPLICATION OR PCT INTERNATIONAL APPLICATION(S)  
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. §120 or 365(c):**

APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS: (PATENTED, PENDING OR ABANDONED)

**POWER OF ATTORNEY:** As named inventors, we hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Alter, Scott M.	32,879
Baker, Hollie L.	31,321
Barakat, Barbara A.	32,190
Barrett, Steven D.	40,903
Bevilacqua, Michael J.	31,091
Byrne, Sally	40,545
Carey, Scott M.	P 50,998
Cavanaugh, David L.	36,476
Cervený, David J.	44,600
Chiu, Ph.D., Nancy	43,545
Diener, Michael A.	37,122
Dichiara, Peter M.	38,005
Discher, Gregory S.	42,488
Donner, Irah H.	35,120
Goldberg, Neal	48,527
Goldenberg, Richard A.	38,895
Grieff, Edward D.	38,898
Haag, Joseph F.	42,612
Haller, Wendy A.	35,177

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Kennard, Wayne M.	30,271
Kerner, Ph.D., Ann-Louise	33,523
Kahng, Anthony	42,704
Klunder, Ph.D., Janice M.	41,121
Lampert, James B.	24,564
Lari, Ayla A.	43,739
Lippert, Nels	25,888
Love, Jane M., Ph.D.	42,812
Maebius, Maria L.	42,967
Massa, Dominic	44,905
McIsaac, Ph.D., Robert	46,918
Mendez, Tiffany	P 50,160
Nicholson, Cynthia K.	36,880
Park, Keum J.	42,059
Pertmer, Ph.D., Tamera	47,856
Reyes, Jason A.	41,513
Rice, Ph.D., Gretchen A.	37,429
Schwartz, Jason J., Ph.D.	43,910
Scozzafava, Ph.D., Mary Rose	36,268
Steinberg, Donald R.	37,241
Souto, Victor F.	33,458
Superko, Colleen	39,850
Swaim, C. Hall	22,838
Thenor, Leonid	39,397
Twomey, Michael J.	38,349
Vallabh, Rajesh	35,761
Walpert, Gary A.	26,098
Wilson, Ph. D., M. Lisa	34,045
Wixon, Henry N.	32,073
Yeh, Luke	43,296

the mailing address and telephone number of each of whom is c/o HALE AND DORR LLP, 300 Park Avenue, New York, NY 10022 U.S.A., (212) 937-7200.

Send Correspondence to:

M. Scott Carey  
HALE AND DORR LLP  
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New York, NY 10022

Direct Telephone Calls to:

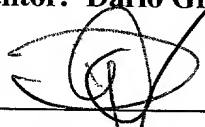
M. Scott Carey  
(212) 937-7244 Phone  
(212) 937-7300 Facsimile

Wherefore, we petition that letters patent be granted to us for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe our names to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Full name of first inventor: Dario Gristina**

Inventor's signature



Date

1/17/02

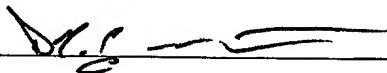
Citizenship: United States

Residence and Postal Address:

35 STONY RUN, NEW ROCHELLE, NY 10804

**Full name of second inventor: Davide Gristina**

Inventor's signature



Date

1/17/02

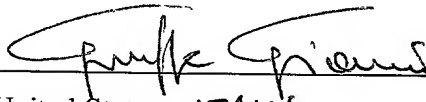
Citizenship: United States

Residence and Postal Address:

500 PINE BROOK BLVD., NEW ROCHELLE, NY 10804

**Full name of second inventor: Giuseppe Giammo**

Inventor's signature



Date

1/17/02

Citizenship: ~~United States~~ ITALY

Residence and Postal Address:

1030 NORTH AVE. NEW ROCHELLE, NY 10804

## ASSIGNMENT

WHEREAS, We, **DARIO GRISTINA, DAVIDE GRISTINA** and **GIUSEPPE GIAMMO** of New York, NY, having invented certain new and useful inventions and discoveries, in a *System for Managing Resource Infrastructure and Resource Consumption in Real Time*, also identified as Attorney Docket Number 112439.120, the specification of which was filed with the United States Patent and Trademark Office on to be filed, and assigned Serial Number not yet assigned; and

WHEREAS, **THE GRISTINA FAMILY TRUST**, an Irrevocable Trust organized under the laws of the State of New York, whose business address is, 304 West Street, Harrison NY 10528 and which, together with its successors and assigns is hereinafter called "ASSIGNEE," is desirous of acquiring the title, rights, benefits, and privileges hereinafter recited;

NOW, THEREFORE, for and in consideration of good and valuable consideration furnished by ASSIGNEE to me, receipt and sufficiency of which I hereby acknowledge, I hereby, without reservations:

1. Assign, transfer, and convey to ASSIGNEE the entire right, title, and interest in and to said inventions and discoveries, said application for Letters Patent, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, continuation-in-part, and convention applications based in whole, or in part, upon said inventions or discoveries, or upon said applications, and any and all Letters Patents, reissues, and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon, or arise from, said inventions, said discoveries, said applications, and said Letters Patent;
2. Authorize ASSIGNEE to file patent applications in any or all countries on any or all of said inventions and discoveries in my name or in the name of ASSIGNEE or otherwise as ASSIGNEE may deem advisable, under International Conventions or otherwise;
3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments throughout the world to issue or transfer all said Letters Patents to ASSIGNEE, as assignee of the entire right, title, and interest therein or otherwise as ASSIGNEE may direct;
4. Warrant that I have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents, or any license to use the same, or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that I have good right to assign the same to ASSIGNEE without encumbrance;

5. Bind my heirs, legal representatives, and assigns, as well as myself, to do, upon ASSIGNEE's request and at ASSIGNEE's expense, but without additional consideration to me or them, all acts reasonably serving to assure that said inventions and discoveries, said patent applications, and said Letters Patents shall be held and enjoyed by ASSIGNEE as fully and entirely as the same could have been held and enjoyed by me, our heirs, legal representatives, and assigns if this Assignment had not been made; and particularly to execute and deliver to ASSIGNEE all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by ASSIGNEE; and to communicate to ASSIGNEE all facts known to me relating to said inventions and discoveries or the history thereof, and to testify as to the same in any court or proceeding; and to furnish ASSIGNEE any and all documents, photographs, models, samples, and other physical exhibits in my control or in the control of my heirs, legal representatives, or assigns which may be useful for establishing the facts of my conceptions, disclosures, and reduction to practice of said inventions and discoveries.

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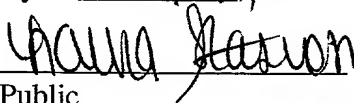
IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 17 day of Jan. 2002.



Dario Gristina

On this 17 day of January, 2002, before me personally came the above-named Dario Gristina to me personally known and known to me to be the same individual who executed the foregoing assignment, and who acknowledged to me that execution of the same was of his own free will for the use and purposes therein set forth.

Sworn to before me this 17 day of January 2002



Notary Public



LAURA STASION  
Notary Public, State of New York  
No. 01ST5073090  
Qualified in New York City  
Commission Expires Feb. 18, 2003

10051542-011702

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 17 day of Jan. 2002.

[Signature]  
Davide Gristina

On this 17 day of January, 2002, before me personally came the above-named Davide Gristina to me personally known and known to me to be the same individual who executed the foregoing assignment, and who acknowledged to me that execution of the same was of his own free will for the use and purposes therein set forth.

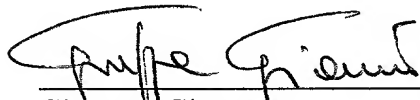
Sworn to before me this  
17 day of Jan., 2002

[Signature]  
Notary Public



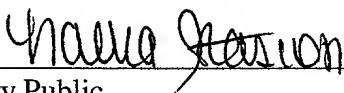


IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 17 day of Jan 2002.

  
Giuseppe Giammo

On this 17 day of January, 2002, before me personally came the above-named Giuseppe Giammo to me personally known and known to me to be the same individual who executed the foregoing assignment, and who acknowledged to me that execution of the same was of his own free will for the use and purposes therein set forth.

Sworn to before me, this  
17 day of Jan., 2002

  
Notary Public



2004-01-17 14:50:00